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COMMITTEE ON THE RIGHTS OF THE CHILD
30th Session
Pre-sessional Working Group
4 – 8 February 2002

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the initial report of Belgium (CRC/C/83/Add.2)

PART I

Under this section the State party is requested to submit in writing additional and updated information, if possible, before 5 April 2002:

A. Data and statistics, if available for 1999, 2000 and 2001

1. Please provide demographic data of the under-18 population (disaggregated by sex, ethnic, and national background).

2. Please provide specific disaggregated data on Federal, Regional and Community budgetary allocation and spending for social needs, as percentages of total Federal, Community, and Regional expenditures. In particular, how much was spent on:
a) education (pre-primary, primary and secondary education, teachers salaries, preservation of school buildings, etc.);
b) health (primary health care, vaccinations, adolescent health care and other health care services for children);
c) day-care facilities;
d) child protection (e.g. institutional or foster care);
e) juvenile crime prevention and rehabilitation;
f) children with disabilities; and
g) other social services.

3. For children deprived of a family environment and separated from parents, please provide information (disaggregated by sex and age) on the number of children that are:
a) separated from their parents; and
b) placed in institutions.

4. Please specify the net enrolment ratio and completion rates (disaggregated by sex, and according to the type of school , i.e. public, and private) in percentages in:
a) pre-primary;
b) elementary;
c) intermediate;
d) secondary; and

e) vocational.

5. Please specify the number of children with disabilities (disaggregated by sex and age) that are:
a) living with their families;
b) in institutions;
c) attending regular schools; and
d) attending special schools.

6. Please specify the number of unaccompanied children (disaggregated by sex, age) that:
a) have applied for asylum;
b) have pending cases; and
c) were granted residency.

7. Please specify the number of children (disaggregated by sex, age, type of crime, type of sanction):
a) who allegedly committed a crime which was reported to the police;
b) who were sentenced by Courts to sanctions, and the nature of the sanctions imposed (e.g. fines, imprisonment, community service, other);
c) number of suspended sentences;
d) where the sanction is deprivation of liberty, please specify the period of imprisonment; and
e) the percentage of recidivism cases.

B. General Measures of Implementation

1. In respect of the declarations to:

a) article 2, the Committee notes that the Convention provides that States parties shall respect and ensure the rights to "each child within their jurisdiction" without discrimination of any kind. It further notes that non-discrimination does not prohibit all differences in treatment, but only those which are based on grounds that are arbitrary and objectively unjustifiable, such as those enumerated in article 2(1), including nationality. Therefore, please specify what this declaration means in practice with respect to non-national children in Belgium.

b) article 40 2(b)(v), concerning the right of children to appeal in criminal matters, and more particularly, that there is no right of appeal in serious criminal matters heard before the Court of Assize, please explain the rationale behind this.

2. i) With respect to the implementation of the Convention—in light of the different competencies of the different autonomous governments—please indicate how the following are achieved:
a) intersectoral co-ordination and co-operation on child rights at and between Federal, Community and Regional levels of government;
b) receiving and addressing complaints of violations of child rights at the following levels: Federal, the German-speaking Community, and the Walloon and Brussels-Capital Regions; and
c) the collection and analysis of disaggregated data, in order to design and evaluate policies and programmes affecting all persons under 18 years.

ii) If any overlap or duplication exists in the areas of competence, inconsistencies in policies, or differences in priorities among the different governments, what is done to remedy this?
iii) Please provide details, if any, of a comprehensive national plan of action to implement the Convention.

3. Please provide information on the effectiveness of the State party's public awareness campaigns of the Convention, particularly for professionals working for and with children (e.g. of Government officials, community-based organisations, the mass media), and the public-at-large, including children themselves.

PART II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects spoken, when available. If possible, please submit these texts in electronic form.

PART III

Under this section, the State party is to briefly (3 pages maximum) up-date the information provided in its report with regard to new Federal, Regional and Community level:

- **bills or enacted legislation;**
- **institutions;**
- **implemented policies; and**
- **implemented programmes and projects, and their scope.**

PART IV

The following is a preliminary list of major issues that the Committee intends to take-up during the dialogue with the State party. THEY DO NOT REQUIRE WRITTEN RESPONSES. This list is not exhaustive, and other issues may be raised in the course of the dialogue.

The dialogue with the State party might include issues such as:

1. Coordination of child rights policies, including the use of child impact assessments at the Federal, Regional and Community levels of government.

2. Article 2 of the Convention and racism against minorities, and disparities in the standard of living of children.

3. The implementation of the right of the child to express his/her views and have them taken into consideration (article 12 of the Convention).

4. Access to information.

5. Legal provisions to protect children from being ill-treated; mechanisms for children to file complaints and have them addressed; and preventive measures including awareness campaigns on its negative consequences.

6. The situation of unaccompanied minors, asylum-seeking and refugee children.

7. Trafficking and sexual exploitation of children.

8. The process of review of the juvenile justice system in conformity with international standards.